



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Confirmation No.: 2437

Andrea TROMBI

Art Unit: 3743

Application No.: 10/512,072

Examiner: Shumaya B. ALI

Filed: November 4, 2004

Attorney Dkt. No.: 024931-00026

For: APPARATUS FOR NEBULISING A LIQUID, IN PARTICULAR FOR
AEROSOL THERAPY

SUBMISSION OF TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

July 21, 2006

Sir:

Submitted herewith for filing in the above-identified application, is a Terminal
Disclaimer.


Included in the attached check is the amount of Sixty Five Dollars (\$65.00) to cover
the cost of the fee. In the event that this check is found to be insufficient, or if any additional
fees are due with respect to the filing of this paper, please charge Deposit Account Number
01-2300, referencing Docket No. 024931-00026.

Respectfully submitted,

07/27/2006 HKAYPAGH 00000117 10512072

01 FC:2617

65.00 OP

By: 
Murat Ozgu
Attorney for Applicants
Reg. No. 44,275

Customer No. 004372
ARENT FOX PLLC
1050 Connecticut Ave, N.W., Suite 400
Washington, DC 20036-5339
Telephone (202) 857-6000
Facsimile (202) 638-4810
MO:elp
Enclosure: Terminal Disclaimer
TECH/433558.1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CE

In re the Application of

Confirmation No. [REDACTED]: 2437

Andrea TROMBI

Art Unit: 3743

Application No.: 10/512,072

Examiner: Shu [REDACTED] naya B. ALI

Filed: November 4, 2004

Attorney Dkt. No. [REDACTED]: 024931-00026

For: APPARATUS FOR NEBULISING A LIQUID, IN PARTICULAR FOR AEROSOL THERAPY

TERMINAL DISCLAIMER UNDER 37 CFR

1.321(b)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Petitioner, **MEDEL S.p.A.**, having its place of business—

at Via Micheli, 7-Fraz, San

Polo 43056 Torrile (Parma), Italy, represents that it is the assignee and owner of all right,

title and interest in and to U. S. Patent Application Serial No. [REDACTED] **0/512,072**, filed November

4, 2004, for APPARATUS FOR NEBULISING A LIQUID, IN PARTICULAR FOR AEROSOL

THERAPY, the assignment for the application being recorded in the Patent and Trademark

Office on November 4, 2004 at Reel 016469, Frame 0354. Petitioner is also the assignee

of all right, title, and interest in and to U. S. Patent Publication No. **2005/0145243 A1**, filed

October 19, 2004, for NEBULISER, the assignment for this application being recorded in

the Patent and Trademark Office on October 19, 2004 at Reel [REDACTED] 016505, Frame 0939.

TECH/430890.1

BEST AVAILABLE COPY

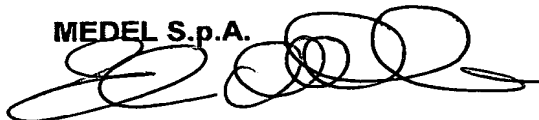
Petitioner hereby disclaims the terminal part, if any, of any patent granted on application Serial No. **10/512,072**, which would extend beyond the expiration date of any patent granted on application Serial No. **2005/0145243 A1** when issued, and hereby agrees that any patent so granted on application Serial No. **10/512,072** shall be enforceable only during such period that the legal title to such patent shall be the same as the legal title to any patent granted on application Serial No. **2005/0145243 A1**, this agreement to run with any patent granted on application Serial No. **10/512,072**, and to be binding on its grantee, its successors, or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of any patent granted on application Serial No. **2005/0145243 A1** in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The undersigned on behalf of petitioner, **MEDEL S.p.A.**, hereby states and declares that I have the authority to execute this Terminal Disclaimer on behalf of the petitioner.

Respectfully submitted,

MEDEL S.p.A.

A handwritten signature in black ink, appearing to read 'ERILDO ATTOLINI', written over a horizontal line.

By: ERILDO ATTOLINI

Title: CHIEF EXECUTIVE OFFICER

Date: 17 JULY 2006